

ORIGINAL

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FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

MAY 09 2008 *Ag*
at 4 o'clock and 52 min. M.
SUE BEITIA, CLERK

Attorney for Defendant
ALBERT POWELL, III

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

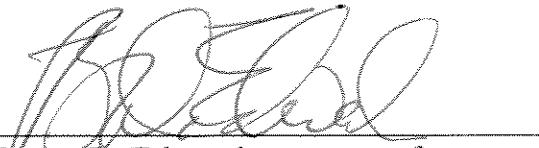
DEFENDANT'S POSITION STATEMENT

Defendant, ALBERT POWELL, III, by his appointed counsel, acknowledges that the United States Marshal Service received the paperwork requesting defendant's return for sentencing on about May 2, 2008, and that the Marshal Service's personnel do not have adequate time to obtain defendant's

appearance at the sentencing hearing previously set for May 27, 2008.

Based upon this development, defendant does not oppose continuing the sentencing to June 30, 2008.

DATED: Honolulu, Hawaii, May 9, 2008.



Barry D. Edwards, attorney for
ALBERT POWELL, III

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing document is being served today by fax, and on the date of filing by hand delivery, to the following parties at the following addresses:

Chris A. Thomas, Esq.
Assistant United States Attorney
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By Fax: 541-2958

Ms. Ellie Asasaki
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Honolulu, HI 96850
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DATED: Honolulu, Hawaii, May 9, 2008



Barry D. Edwards